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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/322,715 05/28/99 HILDEBRANDT

P GR98P4106

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MM91/1002

EXAMINER

SONG, S	ART UNIT	PAPER NUMBER
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2874  
DATE MAILED:

10/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/322,715	HILDEBRANDT ET AL.
	Examiner Sarah Song	Art Unit 2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 August 2001 and 24 September 2001.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 4-6 and 10-18 is/are allowed.

6) Claim(s) 1-3 and 7-9 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	<input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. The request filed on September 24, 2001 for a Continued Examination (RCE) under 37 CFR 1.114 is acceptable.
2. Applicant's communication filed on August 20, 2001 has been carefully studied by the Examiner. The arguments advanced therein, considered together with the amendments made to the claims, are persuasive and the rejections based upon prior art made of record in the previous Office Action are withdrawn. Claim 1 has been amended. Claims 1-18 are pending.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeong et al. Jeong et al. discloses a coupling device comprising an optical fiber holder (25) having a top face, a bottom face, narrow side faces between said top face and said bottom face, with transition regions (corners) formed between said narrow side faces, and said top face and said bottom face, respectively, and intermediate faces (27) formed in said transition regions; and a receptacle (element 40 within adapter 10) for receiving said holder along a longitudinal insertion direction, said receptacle having resilient inside contact areas exerting resilient forces (A1, A2, A3) on said intermediate faces (27). The holder (25) has a substantially cuboid shape and said intermediate faces (27) are bevels formed along longitudinal edges defined by the cuboid shape. The contact

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areas (of element 40) are defined by a longitudinal substantially V-shaped recess. Jeong et al. also discloses the holder 25 to be a coupling unit of a mutifiber (i.e. multichannel) transmitter module (column 1 lines 4-10). Jeong et al. also discloses the receptacle as a part of a coupling socket having an open side adapted to receive therein an optical fiber plug-in connector (column 2 lines 38-60).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong et al. Jeong et al. discloses the claimed invention as discussed above, except for the embodiment wherein the holder is a coupling unit of a multichannel transceiver module. However, optical communication systems often operate in both the transmitting and receiving mode for bi-directional communications. Therefore, it would have been obvious to one having ordinary skill in the art to modify the coupling device of Jeong et al. to comprise a coupling unit of a multichannel transceiver module to transmit and receive optical communication signals.

***Allowable Subject Matter***

7. Claims 4-6 and 10-18 are allowed.

8. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or reasonably suggest, either alone or in combination, rails disposed in the receptacle having two resiliently splayable limbs forming the V-shaped

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recess, or a contact surface formed from an at least partially plastically deformed section of the limb.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1-3 and 7-9 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Any inquiry concerning the merits of this communication should be directed to Examiner Sarah Song at telephone number 703-306-5799. Any inquiry of a general or clerical nature, or relating to the status of this application or proceeding should be directed to the receptionist at telephone number 703-308-0956 or to the technical support staff supervisor at telephone number 703-308-3072.

*Sarah Y. Song*

SUS  
September 28, 2001

*Rodney Bovemick*  
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